

The Gazette of India



EXTRAORDINARY

PART II—Section 1

PUBLISHED BY AUTHORITY

47] NEW DELHI, TUESDAY, SEPTEMBER 13, 1955

MINISTRY OF LAW

New Delhi, the 13th September, 1955

The following Act of Parliament received the assent of the President on the 12th September, 1955 and is hereby published for general information:—

THE INDUSTRIAL DISPUTES (APPELLATE TRIBUNAL) AMENDMENT ACT, 1955

No. 29 OF 1955

[12th September, 1955]

An Act to amend the Industrial Disputes (Appellate Tribunal) Act, 1950.

BE it enacted by Parliament in the Sixth Year of the Republic of India as follows:—

1. This Act may be called the Industrial Disputes (Appellate Tribunal) Amendment Act 1955. Short title.

2. After section 23 of the Industrial Disputes (Appellate Tribunal) Act, 1950, the following section shall be inserted, namely:— Insertion of new section 23 A.

“23A. (1) Where any proceeding under section 22 or section 23 is pending before the Appellate Tribunal, the Chairman, without constituting any Bench for the purpose, may—

(a) dispose of the proceeding himself sitting singly;

(b) authorise any member to dispose of the proceeding sitting singly;

Special provision for the disposal of certain proceedings by the Chairman or a member of an industrial tribunal.

- (c) transfer the proceeding, whether pending before the Appellate Tribunal or himself or any member, to any one of the industrial tribunals specified for the disposal of such proceedings by the Central Government by notification in the Official Gazette;
 - (d) withdraw any such proceeding from any industrial tribunal to which it has been transferred under clause (c) and dispose of the same himself sitting singly or authorise any member to dispose of the same sitting singly or transfer the same to any one of the other industrial tribunals so specified.
- (2) Where the Chairman or any member sits singly to dispose of any proceeding under this section, he shall have all the powers of the Appellate Tribunal in the disposal of the proceeding.
- (3) Where any proceeding is transferred to an industrial tribunal under this section, the industrial tribunal may, subject to any special directions in the order of transfer, proceed either *de novo* or from the stage at which it was transferred, and shall dispose of the proceeding as if it were a proceeding under section 33 or, as the case may be, section 33A of the Industrial Disputes Act, 1947, and the provisions of that Act shall apply accordingly. XIV of 1947
- (4) Notwithstanding anything contained in section 7, no appeal shall lie to the Appellate Tribunal from any order or award of an industrial tribunal made in any proceeding transferred to it under this section".

Repeal of
Ordinance
3 of 1955.

3. (1) The Industrial Disputes (Appellate Tribunal) Amendment Ordinance, 1955, is hereby repealed

3 of 1955.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act, as if this Act were in force on the day on which such thing was done or action was taken.

K. Y. BHANDARKAR,
Secy. to the Govt. of India.